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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/489,605	01/21/2000	William J. Baer	STL000023US1	6038

7590 02/05/2002

IBM Corporation
Intellectual Property Law
555 Bailey Ave J46/G475
San Jose, CA 95141-1003

EXAMINER

NGUYEN, CAM LINH T

ART UNIT PAPER NUMBER

2171

DATE MAILED: 02/05/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

SB

Office Action Summary

Application No.

09/489,605

Applicant(s)

BAER ET AL.

Examiner

Cam-Linh T. Nguyen

Art Unit

2171

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01/21/2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 January 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: The applicant only submits 24 figures in the application. In the DESCRIPTION OF THE DRAWING, applicant reference to Figure 25 in page 6.

Appropriate correction is required.

Drawings

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: Fig. 25. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

The applicant only submits 24 figures in the application. In the DESCRIPTION OF THE DRAWING, applicant reference to Figure 25 in page 6.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Ferrel et al (U.S. 6,199,082).

- ◆ As per claim 1, 6, 11, Ferrel provides a method and system, a program storage device readable machine for delivering separate design and content in a multimedia publishing system (See column 1 line 5-10).

- "A function layer" is the Viewer in Fig. 2 element 202.
- "A data repository" is the Publisher Workstation in Fig. 2 element 102.
- Ferrel provides a screen display as displayed by the Viewer 202 of figure 2, that has the same functions as "functional layer" for interfacing with a user interface (See Figure 6 and 7, column 19 line 53- column 20 line 1-35), and a host data center that works same as "data repository". The host data center comprises a plurality of application servers that stored entities (See Figure 3, column 14 line 35-67 – column 15 line 1- 40).

- ◆ As per claim 2, 7, 12, the Viewer in figure 2 can be described as providing the run-time view of a title. The viewer component synthesizes the set of objects. Several subsystems are used to perform this process of synthesizing a run-time view of a title. Ferrel referred the subsystems same as "module" in the invention.

The acquisition subsystem can be prompted to acquire content for the entire title or an individual section. The IResolve Magnet interface is used to retrieve "a list of content" IDs for each search object (See column 52 line 30-67, column 53 line 1-35). An example of a content layout is described in Figure 7 (See column 20 line 17- 67, column 18 line 1-20).

◆ As per claim 3, 8, 13, Ferrel uses a tree structure to represents the entire structure of the title. User can manipulates the list of content by dragging and dropping each object's icon to redefine the content or order of the compilation (See column 20 line 50-65).

◆ As per claim 4-5, 9-10, 14-15, figure 7 is a hierarchically structure; it can be thought of as a folder which can contain other sections (sub-sections), search objects, style sheets, pages, and content (see column 20 line 18-65). The left pane 404 uses standard Explorer views, as well as a special view built for the window 400, which sorts according to a user-defined order and allows the user to change the order by dragging and dropping each objects' icon. The objects are preferably grouped by type of object, such as, for example, subsection objects 412, page layouts 420 and content objects 422. The order of the pages and content objects is significant. Figure 4 and 5 are example of container hierarchy (see column 15 line 45-67, column 16 line 1-30).

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

♦ Van Huben et al (U.S. 5,966,707) teaches a method for managing a plurality of data processes residing in heterogeneous data repositories.

♦ Antony Azio Faustini (U.S. 5,913, 065) teaches a system, method and article of manufacture for creating hierarchical folder components for use in a Java application or applet.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cam-Linh T. Nguyen whose telephone number is 703-305- 1951. The examiner can normally be reached on Monday - Friday from 8:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic, can be reached on (703) 308- 1436. The fax phone number for the organization where this application or proceeding is assigned is 703- 746- 7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703- 305- 3900.

Cam-Linh Nguyen
Art Unit 2171


SAFET METJAHIC
SUPERVISORY PATENT EXAMINER
GROUP 2100